

Service Date: July 29, 1980

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

IN THE MATTER of the Application )  
Of the CITY OF LIVINGSTON to In- ) UTILITY DIVISION  
crease Sewer Rates. ) DOCKET NO. 6804  
 ) ORDER NO 4623b

FINDINGS OF FACT

1. On February 5, 1980, a public hearing was held in Livingston, Montana on the City's request to increase rates for sewer service in Docket No. 6772.

2. The Applicant's computation of annual revenue requirement for Step 1 of the proposed secondary wastewater treatment plant did not include a sum of \$32,709 for a 25 per cent coverage factor required for the bond issue due to an arithmetic error.

3. On March 7, 1980, the Applicant filed a Motion For Temporary Increase in the amount of \$32,709. for Step 1.

4. On April 8, 1980, Interim Order No. 4623a was issued granting the bond coverage request by the Applicant for Step 1.

5. A Notice of Opportunity for Public Hearing was published as a legal notice in the following newspapers of general circulation; the June 23, 1980 editions of the Bozeman Daily Chronicle and the Livingston Enterprise. The notice stated that if there were any protests to the application or request for a public hearing on the

application they were to be received by the Commission on or before July 22, 1980. No protests or requests for hearing have been received by the Commission.

6. This order makes final the rates approved in Interim Order No. 4623a.

#### CONCLUSIONS OF LAW

1. The Commission has jurisdiction over parties and the subject matter in this proceeding.

2. The rate structure approved herein is just, reasonable and not unjustly discriminatory.

#### ORDER

1. IT IS HEREBY ORDERED that tariff schedules filed by the Applicant on March 7, 1980 which reflect an additional S.13 per 1,000 gallons of water used are approved on a final basis.

2. The effective date shall be for sewer service rendered 30 days after the sale of the bonds as authorized in Order No. 4622.

DONE IN OPEN SESSION at Helena, Montana the 28th day of July, 1980 by a 4- 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION.

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Gordon E. Bollinger, Chairman

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Thomas J. Schneider, Commissioner

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George Turman, Commissioner

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Clyde Jarvis, Commissioner

ATTEST:

Madeline L. Cottrill  
Secretary

(SEAL)

NOTE:        You may be entitled to judicial review of the final decision in this matter. If no Motion for Reconsideration is filed, judicial review may be obtained by filing a petition for review within thirty (30) days from the service of this order. If a Motion for Reconsideration is filed, a Commission order is final for purpose of appeal upon the entry of a ruling on that motion, or upon the passage of ten (10) days following the filing of that motion. cf. the Montana Administrative Procedure Act, esp. Sec. 2-4-702, MCA, and Commission Rules of Practice and Procedure, esp. 28-2.2(64)-P2750, ARM.